IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.47408-M of 2006

DATE OF DECISION:21.11.2006

Jarnail Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri K.K. Aggarwal, Sr. Advocate
with Shri Kapil Aggarwal, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

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Petitioner Jarnail Singh apprehending his arrest in a non-bailable offence in case FIR No. 29 dated 18.5.2006 under Sections 13(2) of P.C. Act, 1988 and Sections 420/120-B IPC, registered at Police Station Vigilance Bureau, Patiala, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

In this case, it has been alleged that the petitioner while taking loan of Rs.50,000/- from Sunam Block Rural Cooperative House Building Society Limited, Sunam had mortgaged certain piece of his land. As per the allegations, no entry regarding the said mortgage was made in the revenue record in connivance with the Patwari.

At the time of notice of motion, counsel for the petitioner contended that the petitioner has almost paid the amount of loan taken by him. On that statement, interim anticipatory bail was granted to the petitioner subject to the condition of his joining the investigation. On

16.10.2006, counsel for the petitioner shown a receipt of amount of Rs.1,25,537/- deposited by him with the society. Counsel for the respondent-State sought time to verify this fact.

Today, counsel for the respondent- State, on instruction from SI Gurbakshish Singh, states that the aforesaid amount has been deposited by the petitioner. He also states that in terms of order dated 11.8.2006, the petitioner has joined the investigation.

In view of the above, the interim bail, granted vide order dated 11.8.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 21, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**